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October 6, 2022

The Honorable Robert D. Mariani
William J. Nealon Federal Bldg. & U.S. Courthouse
235 N. Washington Avenue
Scranton, PA 18503

Re: *Steven Plavin et al. v. Group Health Incorporated*, No. 3:17-cv-01462

Dear Judge Mariani :

We write on behalf of Plaintiffs in the above-captioned action in response to Defendant Group Health Incorporated’s (“GHI”) letter requesting leave to file a motion for summary judgment and to stay this matter.

Plaintiffs oppose GHI’s renewed request for additional summary judgment briefing and a stay. This Court has already denied this request once, holding that “the filing of such motion will not operate to delay proceedings in this matter and no stay will be issued on the basis of the filing of an early motion for summary judgment.” ECF No. 64, at 1.

There is no reason to revisit that settled law of the case, nor would judicial economy be served by the piecemeal briefing GHI contemplates—in which the Court first resolves one motion for summary judgment, then resolves class certification, only then to entertain yet more motions for summary judgment. *See* ECF No. 127, at 1 (expressly reserving “GHI’s ability to make a subsequent motion for summary judgment on different grounds at a later date”).

Plaintiffs are available to discuss these issues and appreciate the Court’s attention to this matter.

Sincerely,



Nicholas Carullo